

FILED

UNITED STATES COURT OF APPEALS

DEC 21 2012

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

CINDY LEE GARCIA,

Plaintiff - Appellant,

v.

GOOGLE, INC., a Delaware Corporation;
et al.,

Defendants - Appellees,

and

NAKOULA BASSELEY NAKOULA, an
individual, a.k.a. Sam Bacile; et al.,

Defendants.

No. 12-57302

D.C. No. 2:12-cv-08315-MWF-
VBK

Central District of California,
Los Angeles

ORDER

The appeal filed December 21, 2012 is a preliminary injunction appeal.

Accordingly, Ninth Circuit Rule 3-3 shall apply.

The mediation questionnaire remains due December 28, 2012.

If they have not already done so, within 7 calendar days after the filing date of this order, the parties shall make arrangements to obtain from the court reporter an official transcript of proceedings in the district court that will be included in the record on appeal.

The briefing schedule shall proceed as follows: the opening brief and excerpts of record are due not later than January 18, 2013; the answering brief is due February 15, 2013 or 28 days after service of the opening brief, whichever is earlier; and the optional reply brief is due within 14 days after service of the answering brief. *See* 9th Cir. R. 3-3(b).

Failure to file timely the opening brief shall result in the automatic dismissal of this appeal by the Clerk for failure to prosecute. *See* 9th Cir. R. 42-1.

FOR THE COURT:

MOLLY C. DWYER
CLERK OF COURT

By: Holly Baldwin
Deputy Clerk